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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/863,425	05/22/2001	Srinivas Bharadwaj	MEDIAFARM.PT1	9411
7590	03/14/2005		EXAMINER	
Otto O. Lee, Esq. Intellectual Property Law Group 12 South First Street, Suite 1212 San Jose, CA 95113			COULTER, KENNETH R	
			ART UNIT	PAPER NUMBER
			2141	

DATE MAILED: 03/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/863,425

Applicant(s)

BHARADWAJ, SRINIVAS

Examiner

Kenneth R Coulter

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 16 November 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-37 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Information Disclosure Statement***

The information disclosure statement filed 5/22/01 fails to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each cited foreign patent document; each non-patent literature publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed. It has been placed in the application file, but the information referred to therein has not been considered.

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1 – 37 are rejected under 35 U.S.C. 102(e) as being disclosed by Lee et al. (U.S. Pat. No. 6,336,137) (Web Client-Server System and Method for Incompatible Page Markup and Presentation Languages).

2.1 Regarding claim 1, Lee discloses an apparatus comprising:  
a client computer configured to fit in a person's hand, comprising:

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a central processor unit (col. 1, lines 57 – 58 “low processor power”);  
memory device coupled to the central processor unit, said memory being configured to store instructions to direct the central processing unit (col. 1, lines 56 - 62 “low memory capacity”);

input device coupled to the central processor unit (col. 1, line 60 “touchpads”);  
a communication device coupled to the central processor unit and adapted to establish a wireless communication link with one or more remotely located server computers (col. 11, lines 1 – 12); and

a display device coupled to the central processor unit (col. 1, line 56 – col. 2, line 6 “small displays”), wherein said client computer device is adapted to act as a remote output device for one or more application programs running on said one or more remotely located server computers without the need for an execution environment on the client computer (col. 11, lines 1 – 12 “**All application logic resides on the Web Server**, 61, or Application Server, 73, and is displayed on the wireless client, 41, on demand.”; col. 1, lines 22 - 26).

2.2 Per claim 2, Lee teaches the apparatus as in claim 1, wherein the input device is a stylus, a microphone adapted to receive speech input, a pointing device, keyboard, touch pad, jog dial, joystick, or an infrared input device (col. 1, line 60 “touch pads”).

2.3 Regarding claim 3, Lee discloses the apparatus as in claim 1, wherein the one or more application programs include one active application (Abstract).

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2.4 Per claim 4, Lee teaches the apparatus as in claim 3, further comprising: a portion of the memory device configured as a local cache (col. 12, line 17); wherein drawables corresponding to the one or more application programs are stored in the cache for local retrieval and display (col. 11, lines 18 – 33; col. 12, lines 21 - 21).

2.5 Regarding claim 5, Lee discloses the apparatus as in claim 1, further comprising: first component coupled to the memory device, said first component configured to transmit a list of cached drawables for an active application to a server (col. 11, lines 18 – 33; col. 12, lines 21 - 21).

2.6 Per claim 6, Lee teaches the apparatus as in claim 1, further comprising: second component coupled to the memory device, said second component configured to receive a compound request message from the server (col. 11, lines 18 – 33; col. 12, lines 21 - 21).

2.7 Regarding claim 7, Lee discloses the apparatus as in claim 6, further comprising a third component coupled to the memory device, said third component configured to use the compound request message to update a display state of the client computer (col. 13, lines 56 - 63).

2.8 Regarding claim 8, Lee discloses the apparatus as in claim 1, further comprising:

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fourth component configured to transmit a user's identification information to a server (col. 6, lines 12 - 27); and fifth component configured to receive information regarding a list of applications previously executing for that user (col. 6, lines 12 - 27).

2.9 Per claim 9, Lee teaches the apparatus as in claim 1, further comprising: sixth component configured to select one of a plurality of applications from a list of available applications (col. 10, line 66 – col. 7, line 17).

2.10 Per claims 10 and 11, Lee does not explicitly teach multimedia displaying circuitry.

However, this circuitry is commonplace on portable browser and represents no patentably distinct feature over the prior art.

2.11 Regarding claims 12 – 15, Lee does not explicitly disclose the features involving voice activated application implementation.

Voice activation is commonplace on thin client devices in order to reduce the use of small, unwieldy input devices on portable thin clients.

2.12 Regarding claim 16, the rejection of claims 1, 6, and 7 under 35 USC 102(e) (paragraphs 2.1, 2.6, and 2.7 above) applies fully.

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2.13 Regarding claims 17 – 37, the rejection of claims 1 – 15 under 35 USC 102(e) (paragraphs 2.1 – 2.11 above) applies fully.

***Response to Arguments***

3. Applicant's arguments with respect to claims 1 - 37 have been considered but are moot in view of the new ground(s) of rejection.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenneth R Coulter whose telephone number is 571 272-3879. The examiner can normally be reached on 5 4 9.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on 571 272-3880. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KENNETH R. COULTER  
PRIMARY EXAMINER  


krc